

## STANDARD CRIMINAL 21

### INDICTMENT/INFORMATION IS NOT EVIDENCE

The State has charged the defendant with [a crime] [certain crimes]. A charge is not evidence against the defendant. You must not think that the defendant is guilty just because of a charge. The defendant has pled "not guilty." This plea of "not guilty" means that the State must prove each element of the charge[s] beyond a reasonable doubt.

---

**SOURCE:** RAJI (Criminal) No. 21 (1996); *State v. Nieto*, 186 Ariz. 449, 457, 924 P.2d 453, 461 (1996); *State v. Amaya-Ruiz*, 166 Ariz. 152, 174, 800 P.2d 1260, 1282 (1990), *cert. denied*, 500 U.S. 929 (1991).